IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24553 of 2008
SHABANA KHATOON
Versus

STATE OF BIHAR
- - - -

5. 21.8.2008 Heard.

The petitioner is the mother-in-law of the deceased and the allegation is that for not bringing Rs. 70,000/- as demanded by her husband the petitioner and other accused persons strangulated her to death and killed her. The police had also admitted the killing. The material in support of the allegation by noting down it is that the lady was firstly hanged to death and then in order to misleading the investigation the accused persons put the dead body on fire which was evident from the look of the surface of the room.

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I have gone through the copy of the post mortem examination report copied in paragraph 50 of the case diary and that does not convince that the cause of death was strangulation. The lady died of Asphyxia on account of being burnt. There is material in the case diary indicating that there used to be scuffle and fight between the deceased and

her husband on the demand and its non-fulfilment.

Regard being had to the facts as indicated above, let the above named petitioner be directed to the released from custody on her furnishing a bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at BiharSharif in Bihar P.S.Case No. 380 of 2007.

Kanth

(Dharnidhar Jha, J.)

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